



THE NEW YORK STATE PUBLIC EMPLOYEES FEDERATION TESTIMONY

Labor/Workforce Development - Joint Legislative Budget Hearing

2026-2027 Executive Budget Proposal

February 25, 2026

Wayne Spence, President

Good afternoon Chairpersons Krueger, Pretlow, Jackson, Pheffer Amato, Ramos, Bronson and other honorable members of the legislature. My name is Wayne Spence and I am the president of the 56,000-member strong New York State Public Employees Federation (PEF). I want to thank you for the opportunity to speak to you about the 2026-27 Executive Budget proposal and its impact on the state workforce. Our union is composed of professional, scientific and technical experts who provide critical services to the residents and taxpayers of New York State. PEF members take a great deal of pride in their work and the care that they provide to clients because they are professionals and they care about the welfare of their fellow New Yorkers.

PEF is grateful to Governor Hochul and all of the members of the Legislature who supported the recent improvements to Tier 6. PEF appreciates the civil service reforms enacted to help improve hiring, including: eliminating testing fees, continuous recruitment exams, and crediting provisional service toward probationary service. As these reforms slowly work their way through the system, however, we continue to see that the state is having difficulty attracting and retaining staff.

State Staffing

PEF very much appreciates the attempt to expand staffing to address overtime costs, to enforce the laws of the state and to continue to deliver the excellent service New Yorkers need. While we are making some progress, more action is required.

(1) Overtime Costs

The lack of staffing continues to drive unnecessary costs and increases attrition. In 2024, overtime hours for state employees increased by 1.8 million hours to 24.4 million hours of overtime work.¹ The cost for that overtime labor was \$1.3 billion. The continued reliance on overtime places undue burdens on state employees and their families. Since the enactment of the Tier 6 plan in 2012, New York state has spent more than \$12 billion in total overtime costs and state employees have worked a total of 335 million hours of overtime.

¹ New York State Agency Use of Overtime and State Workforce Trends, 2015-2024; Office of the NYS Comptroller, June 2025: <https://www.osc.ny.gov/files/reports/pdf/new-york-state-agency-use-of-overtime-trends-15-2024.pdf>

**Overtime Hours and Costs for New York State
2012 vs. 2025**

	2012-13	2024-25	Difference	Percent Change
Overtime Hours	14,480,463	24,473,211	+9,992,748	+69.0%
Overtime Costs	\$529,000,000	\$1,325,500,000	+\$796,500,000	+150.6%

(2) Workforce Attrition

According to the Office of the State Comptroller, in 2024, the state added 17,504 new hires. However, the number of staff who left service for reasons other than retirement was 14,699 people. So the state gained only 2,805 new employees in 2024.

(3) Outside Consulting Contracts:

In addition to the state needing to commit more taxpayer dollars to fund overtime, the state has also increased spending to hire more expensive outside consultants to perform the work previously done by civil servants:

**Taxpayer Supported Consulting Contracts and Costs
2012 vs. 2025**

	2012-13	2026-27	Difference	Percent
Consultants (FTEs)	6,367	9,883	+3,516	+55.2%
State Contracts	\$693,346,805	\$1,536,548,018	+\$843,201,213	+121.6%

Outside of the consultant budget appropriation, this year’s Executive Budget also proposes to spend:

- \$535 million for National Guard security support at DOCCS;
- \$22 million for contract nurses at DOCCS and other state-operated facilities;

An overreliance on overtime and contracting out public services to higher cost consultants and contractors is not a cost-efficient use of taxpayer dollars. New York State needs to invest in its workforce to save much needed resources.

NY HELPS and Civil Service “Transformation”

PEF has supported the Legislature’s efforts in the last several years to improve New York’s civil service system, including funding for twelve computer-based testing centers, two studies on New York’s compensation and classification system for State employees, and waiving examination fees. These programs had the aim to improve not only recruitment into state service but also the retention of new and existing civil servants. Yet since these programs were adopted and funded in 2023, not a single regional testing center is operational, one compensation study has been delayed multiple times, and the other has not been started.

The New York Hiring for Emergency Limited Placement Statewide (NY HELPS) program is currently set to expire this June. PEF opposed the Department of Civil Service’s (Department) extension of the program last year because it enables favoritism and cronyism in hiring. Entire career ladders, including titles at the highest levels of agency management, are included in the program. This leaves many of the positions most ripe for cronyism open to hiring with no assessment of merit and fitness, as required by the New York State Constitution.

The Department has flouted the high number of hires made under the program as an indication of its success, but the actual numbers show that retention is very poor. The Department shared in August 2025 that over 32,000 hires had been made. However, using data from the Department’s Workforce Diversity Reports, PEF found that the State workforce grew by only 8,631 from January 2023 to January 2025. This means that thousands of people hired under NY HELPS have already left State service. Additionally, PEF members have frequently shared their concerns that the program failed to address underlying problems in the civil service system. Members state that career mobility is inaccessible, examinations are infrequent and flawed, promotion opportunities are rare, and turnover is extremely high.

The Department has shared some upcoming “transformation” efforts that will presumably begin this July at the conclusion of NY HELPS. These include opening the computer-based testing centers, for which the Legislature provided funding three years ago. The Department also plans to establish an online job application management portal and has purchased the artificial intelligence system Eightfold for it. Troublingly, the Department has announced plans to replace competitive examinations for thousands of civil service titles with training and experience questionnaires (T&Es). Expanding T&Es on such a scale violates the merit and fitness requirements of the Constitution.

T&Es do not measure skills but rather give a score based on self-reported education and experience. Skills are not validated and candidates can easily obtain a higher score through dishonesty. PEF is of the understanding that score bands will be 100 and 70, with no scores in between. These large score bands erase distinctions between candidates. This eliminates competition from the examination process, which the Constitution requires. This plan also shirks the Department's obligation to assess the validity of examinations at least every five years, as required by Chapter 305 of 2024. It is clear that this expansion will leave a void in the State's ability to assess candidate merit and fitness.

Looking ahead to 2026, PEF is hopeful that the Department will work with stakeholders, including members of the Legislature and employee organizations, to implement a transformation plan that includes the following:

- (1) Opening the computer-based testing centers for which funding was provided three years ago, none of which are functioning.
- (2) Completing and publishing both compensation studies for which the Department received funding.
- (3) Establishing a testing program that actually assesses candidates' merit and fitness for appointment based on demonstrable skills, not the vague proxies for knowledge that a T&E estimates.

PEF SUPPORTS The Following Executive Budget Proposals Affecting the State Workforce

(1) SUNY Hospitals

PEF **SUPPORTS** the reappropriation of capital money needed to fortify and secure the long-term future of the SUNY Hospitals. For over a decade prior to COVID-19, the funding for SUNY's three hospitals (Upstate in Syracuse, Downstate in Brooklyn and Stony Brook) had been declining.

The State of New York has a moral obligation to continue to support all of the SUNY hospitals, not close their doors. While it is true that there are many other hospitals, our public hospitals are unique as they help train new doctors and other medical professionals while providing medical treatment to uninsured, underinsured, indigent, undocumented and other at-risk New Yorkers who cannot afford to pay for those services.

PEF supports the Governor’s capital plan for both Upstate and Downstate and supports the capital reappropriations for both facilities. Between the capital and operating funds for Downstate, you have invested over \$1 billion for this critical health care center in the last three years!

PEF BUDGET REQUEST:

- **SUPPORT \$100 Million in Operating Support for SUNY Downstate (S.9000/A.10000)**
- **SUPPORT Reappropriate \$750 Million Capital Resources for SUNY Downstate (S.9004/A.10004)**
- **SUPPORT Reappropriate \$450 Million in Capital Resources for SUNY Upstate (S.9004/A.10004)**
- **SUPPORT \$150 Million in Capital for SUNY Hospitals (\$50 Million Each to Downstate, Upstate, Stony Brook) (S.9004/A.10004)**

(2) Funding for the Cultural Education Center and NYS Museum (S.9000/A.10000);

PEF fully **SUPPORTS** the \$12 million operating aid increase in the 2026-27 Executive Budget Proposal. PEF also fully **SUPPORTS** capital re-appropriation for the “Albany’s Promise Initiative” that includes \$150 million in capital funding to renovate the New York State Museum. The CEC has seen only modest increases in state support over the past decade. These funding constraints have persisted despite an increase in inflation exceeding 60% over that timeframe, as well as increases in compensation based on successive collective bargaining agreements with the organized staff. The State Education Department has requested an infusion of \$12 million to support the operating needs of the Cultural Education Center, including the NYS Museum. PEF supports this request.

PEF BUDGET REQUEST:

SUPPORT re-appropriation for the “Albany’s Promise Initiative” including support for the NYS Museum Renovations. (S.10004/A.9004)

SUPPORT additional operating aid to SED budget of \$12 million to maintain staffing. (S.9000/A.10000)

(3) Expand the Workzone Speed Camera Program (S.9008/A.10008 – Part G)

PEF **SUPPORTS** legislation expanding the Workzone Speed Camera program. This program established a speed violation photo monitoring systems in work zones (Automated Work Zone Speed Enforcement – AWZSE). This successful pilot program authorized the NYS Thruway Authority and NYS Department of Transportation (DOT) to increase penalties, modified the adjudication process and expanded authorization for speed violation photo monitoring to increase safety for staff and the traveling public. This has improved worker and driver safety and should be expanded.

PEF BUDGET REQUEST

SUPPORT TED Part G to keep our highway workers safe (S.9008/A.10008)

(4) Increase Penalties for Assaults Against Transportation Workers (S.9008/A.10008 – Part F)

PEF **SUPPORTS** legislation to expand the current assault protections available to certain public employees under penal law section 120.05 to motor vehicle license examiners, motor vehicle representatives, highway workers, motor carrier investigators, and motor vehicle inspectors.

However, PEF believes these protections should be afforded to ALL PUBLIC EMPLOYEES who are knowingly and willfully assaulted in the performance of their duties. Assaults and abuse against public employees are on the rise. Public employees are being vilified for doing their jobs and performing public service. It is unacceptable and requires your attention.

PEF BUDGET REQUEST:

SUPPORT TED Part F (S.9008/A.10008) and expand it to cover all public employees (S.6045 by Sen. Baskin/A.3282 by Asm. Bronson)

(5) Authorize Use of Body Scanners in Youth Detention and Justice Facilities (S.9006/A.10006, PART J)

PEF **SUPPORTS** legislation to keep weapons and contraband out of state-operated secure and forensic facilities to keep at-risk clients and staff safe. State and locally-operated juvenile justice programs have seen significant increases in incidents involving dangerous contraband, despite implementation of varying methods of contraband detection and screenings. Much of this contraband, including nonmetal

and ceramic blades, is not detectable by current facility metal detecting equipment (“Oversight of Juvenile Justice Facilities,” Office of Children and Family Services; Office of the State Comptroller, April 2024).

To reduce the flow of weapons, drugs and other contraband in state correctional facilities, New York state rightly enacted legislation and provided funding to equip DOCCS facilities with body scanners.

We are pleased that the Governor has agreed with portions of the legislation proposed by Assemblymember Hevesi and Senator Skoufis (A.9333/S.8963) to permit body scanners at OCFS facilities.

However, PEF believes that the Governor’s proposal to allow for body scanners at state operated juvenile justice facilities operated by the Office of Children and Family Services (OCFS) should also include authorization to use body scanners in other secure and forensic facilities operated by the Office of Mental Health (OMH) and the Office for People with Developmental Disabilities (OPWDD) (See also S.8054 Baskin/A.8232 Paulin). At a minimum, some type of equipment is required to detect weapons and other contraband entering state-operated facilities.

In addition to authorizing the use of body scanners at OCFS, OMH and OPWDD facilities, PEF requests that the final budget include \$10 million in additional financial support to allow these agencies to purchase and operationalize the new scanning equipment and to provide updated communications equipment for the staff at OCFS and OMH.

Communications equipment has become critical in emergency response situations, especially because of the low staffing levels. PEF members are particularly concerned that some of the equipment currently in operation lets clients overhear when incidents occur and when the staff is responding to incidents. Unfortunately, this has led to clients overhearing conflict responses and then engaging in the dispute further escalating already dangerous situations. PEF requests the purchase of new communications equipment that does not broadcast staff conversations, that can be used without interruption regardless of the physical structure of the facility and which includes a geo-locator so staff can respond immediately to the correct location.

PEF BUDGET REQUEST:

***SUPPORT* the authorization to use body scanners for OCFS secure facilities and expand it to OMH and OPWDD facilities (S.9006/A.10006 Part J); and**

***SUPPORT* \$10 million in additional funding to purchase the scanners and updated communications equipment.**

(6) \$106.7 Million for Roswell Park Comprehensive Cancer Center

Roswell Park, a state public benefit corporation, relies on the state to help it carry out its important core mission. We are pleased that the amount is similar to what the institute has been receiving in previous years.

PEF BUDGET REQUEST: *ACCEPT* the proposed Capital funding for Roswell Park at the level in the Executive budget (S.9004/A.10004).

(7) Make Nurse Practitioner Modernization Act Permanent

Since the enactment of the Nurse Practitioner Modernization Act in 2014, Nurse Practitioners have operated independently but collaboratively with physicians, physician assistants, and other healthcare professionals. Recognizing the critical role these professionals play in the continuum of health care, the legislature and the governor eliminated any statutory requirements for NPs with more than 3,600 hours of experience to maintain collaborative relationships in 2022. That statutory elimination, which was set to expire in 2024, was extended, but it is again facing an expiration in June 2026. This provision makes the Nurse Practitioner Modernization Act permanent.

PEF BUDGET REQUEST: *ACCEPT* S.9007/A.10007 Part B, section 17 and Part N, Subpart C

(8) Expansion of the New York Opportunity Promise Scholarship

PEF supports the Governor's proposal to expand the program to allow those aged 25 to 55 to pursue an associate's degree in nursing at SUNY or CUNY (free tuition, fees, books, supplies), even if they already

have a postsecondary degree. We believe that this proposal will further help alleviate the nurse shortage being experienced in New York.

PEF BUDGET REQUEST: ACCEPT S.9006/A.10006 Part C

(9) Reducing Reliance on Temporary Staff to Stabilize New York’s Healthcare Workforce

This proposal would ensure that temporary health care service agencies engaged in subcontracting or providing vendor management services register and report properly, as well as set maximum profits for such agencies.

PEF BUDGET REQUEST: ACCEPT S.9007/A.10007 Part J

PEF OPPOSES The Following Executive Budget Proposals Affecting the State Workforce:

(1) Shifting Oversight from SED to DOH (S. 9007/A.10007 Part N):

PEF **OPPOSES** transferring licensure and oversight for physicians, physician assistants and special assistants from the State Department of Education (SED) to the State Department of Health (DOH).

The State Education Department, under the direction of the NYS Board of Regents, regulates healthcare and other professions through the Office of the Professions and the State Boards for the Professions. The Regents also appoint a State Board to advise and assist the Regents on matters of professional regulation for each individual licensure area. The core function of the Office of the Professions is to regulate the professions and to protect the public. To that end, it is appropriate for this function to rest with SED because education plays a key role in preparing licensed professionals and in ensuring their continued development. This long-established process helps to ensure the autonomy, professional quality and integrity of each licensed profession.

There are also concerns about the consequences of transferring oversight from an entity that is generally considered to be independent to an agency directly under the control of the Executive. It is for these reasons that PEF asks this transfer of responsibility and oversight to be rejected.

PEF BUDGET REQUEST: OPPOSE Shifting Oversight from SED to DOH (S.9007/A.10007 Part N)

(2) Market Based Interest Rate on Court Judgements (S.9005/A.10005 – Part DD):

PEF **OPPOSES** the elimination of the statutory rate of interest set for court judgements and accrued claims against the state. This change would encourage the state to further delay proceedings that it knows will ultimately result in the imposition of judgements.

PEF BUDGET REQUEST: OPPOSE Proposal to Move to Market Based Interest Rate on Court Judgements (S.0005/A.10005 – Part DD)

(3) Elimination of the Income Related Monthly Adjustment Amount (IRMAA) (S.9005/A.10005- Part EE):

PEF **OPPOSES** the reduction of the IRMAA benefit. The Governor’s plan to eliminate certain Medicare Part B reimbursements is unfair and bad policy. The Governor’s proposal would cease reimbursement for the IRMAA for “higher income” state retirees. Specifically, the state would retroactively discontinue the IRMAA Medicare Part B reimbursement for “higher income” retirees and provide for a refund to certain retirees. With recent inflation and other costs rising, eliminating this program will hurt many New Yorkers.

Eliminating this insurance reimbursement will greatly impact retirees who dedicated their lives to public service and are now on fixed incomes. PEF retirees do not have the financial flexibility to go out and earn extra money in response to budgetary whims.

NYSHIP retirees living on fixed incomes were made a promise about their healthcare upon retirement. It is shortsighted to achieve savings on the backs of retired public servants and the enactment of such a proposal will certainly not help the state’s recruitment efforts moving forward.

PEF BUDGET REQUEST: OPPOSE the Elimination of the Income Related Monthly Adjustment Amount (IRMAA) (S.9005/A.10005- Part EE)

Prescriptions for Success

To address these challenges and to support the delivery of quality services in an effective and efficient manner, PEF continues to advocate that New York “Fund Our Future” by expanding public services for at-risk individuals to ensure appropriate and continuous access to quality care for all New Yorkers, with the goal of keeping affected New Yorkers in close proximity to their families and other support systems.

There are a number of additional actions that PEFs supports and which were not included in the Executive Budget which will help address staffing issue and which will support New Yorkers in need including:

1. Fix Tier 6

PEF appreciates the efforts made as part of the 2024 State Budget which continued the process of correcting the inadequacies of the Tier 6 pension plan by reducing the final average salary calculation from five years to a three-year final average salary benefit and excluding overtime compensation from the calculation of an employees’ contribution rate until March 31, 2026. We need to do more. Working with other public employee unions, we will be seeking your support for additional affordable improvements that will help attract and retain a career workforce. We know that these conversations always boil down to cost, be we also must consider the other costs the state, municipalities and school districts are paying in overtime compensation, the civil service exam and onboarding costs, and the costs associated with training and re-training new staff. When you have a workforce that is experiencing this high level of turnover, these are real costs.

Instead of saving taxpayer dollars, the Tier 6 plan has resulted in an explosion in overtime costs and an expansion on the use of more expensive private sector consultants to perform public services. Public sector salaries have not and cannot keep pace with the private sector. While the state maintains an excellent health insurance plan, premium increases and employee cost sharing have increased significantly over the years. The most cost effective, universal way to positively impact public sector hiring, and more importantly retention, is to improve the Tier 6 pension plan. We look forward to engaging in this discussion with you directly over the coming weeks.

2. Safety and Security in the Workplace

Worker assaults and injuries are on the rise. Over the past year, there have been at least two separate incidents that have left staff at state OMH facilities severely injured. New York needs to do better!

First, New York's violence prevention law needs stronger enforcement and reporting provisions to compel certain public employers to address identified safety and security shortcomings in timely manner. PEF is requesting amendments to Labor Law Section 27-b to expand protections for public employees regarding workplace violence and to require public employers to take specific action to prevent workplace violence. (See also, S.7658 (Sen. Ramos)/A.8223 (Asm. Bronson)).

3. **Improve Agency Culture and Collaboration**

The state needs a legislative or regulatory policy to educate employees, as well as to identify and eradicate inappropriate conduct, like bullying and abusive conduct in all state agencies. The state currently has a law requiring all state employees to undertake an education program to identify and eradicate sexual harassment in the workplace, but no training to identify abuses or uniform standards to prevent inappropriate workplace conduct. PEF is open to any and all solutions to this workforce problem as continued inaction is hurting the state's efforts to attract and retain staff.

4. **Fortifying and Expanding Assertive Community Treatment Teams in State-Operated Facilities**

Assertive Community Treatment (ACT) takes a "whole team" approach to treating serious mental illness. It allows people to receive services in their community (rather than a more restrictive hospital setting). ACT aims to reduce the reliance on hospitals by providing round-the-clock services to the people who need it most. ACT uses a person-centered, recovery-based approach to care.

State-operated ACT Team caseloads have increased significantly in recent years, and not just in volume, but in acuity and complexity as well. To ensure that these service recipients are treated in a way consistent with expectations and regulations set forth by the state legislature, it is paramount that those services are provided by state employees who are trained and knowledgeable about the standards of care.

The Office of Mental Health provides strict oversight to ensure their ACT Teams are providing the highest standard of care. This year's budget leaves our ACT Teams underfunded and stretched thin and provides no new resources to expand this successful program to other state-operated facilities and the regions that they serve.

State-operated ACT team members develop long-term rapport with the individuals they care for, and provide fast, effective and tailored treatment in times of crisis. This helps to keep individuals with

persistent or recurring mental health issues stable and saves money by limiting interactions with high-cost emergency room treatment or re-admittance to a mental health facility for stabilization.

The state needs to develop additional capacity to address the high-need, high-cost population of New Yorkers that it serves. New York’s state-operated mental health facilities are desperately short of Intensive Case Managers (ICMs) and Forensic ICMs to do follow up contact and intervention services with those suffering from mental illness. The state currently lacks dedicated, publicly-operated ACT teams associated with its own mental health facilities to ensure appropriate emergency and follow-up care, and to collect the data that informs outcomes and gauges future programming needs.

PEF requests \$25 million to fortify existing state-operated ACTs and to begin the process of establishing Assertive Community Treatment (ACT) Teams and Intensive Case Management Staff at all OMH operated mental health facilities.

5. **Dedicated Support Department of Labor Enforcement Operations**

New York leads the nation in laws to protect vulnerable, at-risk workers and taxpayers expect policymakers to fund the Department of Labor to enforce the laws that they pass.

It is no secret that DOL has been underfunded for years resulting in a backlog of claims and an inability to address new cases. This situation has been ongoing and recently reaffirmed in the 2025-26 State Budget where policymakers approved the transfer of more than \$50 million from DOL to the general fund for use on other programs. A similar proposal has been advanced by the Executive in the 2026-27 state budget. PEF wants to stop this practice and instead use the resources collected by the DOL from enforcement cases to support expanding the department’s enforcement capabilities and by instituting additional reporting mechanisms to ensure accountability and maximum enforcement.

Staffing Reductions at NYS Department of Labor 2011-2024

	Staff 2011	Staff 2024	Difference	Percent Change
Dept. of Labor	4,303	3,158	1,250	-28%

Since the enactment of the “Wage Theft Enforcement Act of 2011,” the New York State Department of Labor – the agency charged with investigating state labor law and wage theft violations -- has been

reduced by 1,250 staff (-28%) and since the enactment of the “New York State Wage Theft and Accountability Act (2023),” DOL has lost an additional 248 staff (-7%).

The need for public enforcement of state labor and other laws is necessary to ensure equal access and equal treatment under the law. The need for policymakers to support those important operations is critical to success.

In order to enforce the state’s labor laws, New York state should establish a dedicated fund consisting of any unencumbered penalties collected by DOL from its enforcement cases to go directly to the department to expand enforcement capability. In order to ensure appropriate public oversight and transparency, DOL should be required to submit an annual report on its enforcement activities and how these dedicated resources were utilized. This will afford policymakers the ability to appropriately measure the impact of funding, as well as to develop additional policies to ensure the department can appropriately enforce the state’s labor laws.

PEF BUDGET REQUEST: PASS the “New York State Worker Protection and Labor Enforcement Fund Law” (S.7818 by Sen. Ramos/A.9281 by Asm. Bronson)

6. Safety and Security at DOCCS:

While PEF understands and appreciates the complexities of the current situation, continuing to ignore the safety and security concerns of staff and the incarcerated population will only further contribute to the inability of the state to meet its staffing and service delivery needs. The use of untrained National Guard troops to provide security is untenable and unfair to the guard members and the communities from which they come. The continued use of National Guard troops and traveling nurses will only result in fewer and lower quality rehabilitative services for the incarcerated population and increased costs for security services. This is not a solution to the problem – we need real solutions to the safety and security concerns brought by staff.

Policy Prescriptions for Success

1. Rebuild DOCCS’ Professional Workforce

One area where policymakers continue to underperform is how to deal with the staffing crisis at DOCCS. Policymakers repeatedly indicate that New York wants to transform its correctional system to provide more therapy and support, but resources dedicated to those purposes continue to be elusive.

By most estimates, about 40% of the incarcerated population have mental health issues, addiction problems, and/or learning or behavioral disabilities. Yet, the state does not have adequate staffing to provide even a base level of security, let alone treatment and support. The state needs to invest in staffing and professionalize the staff at DOCCS. To that end, PEF recommends the following:

Increasing Compensation for Staff: The state just increased compensation for corrections officers and should do the same for the civilian staff so the state can attract and retain quality candidates and so quality candidates from across the state actively seek employment at DOCCS. These are difficult jobs that require significant training and re-training. Simply opening up the candidate pool to younger, less experienced individuals doubles down on the current system that undercuts the need for educational experience and maturity to provide effective rehabilitation and treatment.

Professional Development: Expand training and professional development opportunities and requirements so staff can deal with behavioral and other issues, train on de-escalation techniques, and periodically re-train in order to stay current.

Mental Health Support: Develop professional mental health support networks for corrections officers and staff and de-stigmatize such support by making it a regular and normal requirement of employment.

2. **Expand Access to Protective Custody:** PEF supports allowing facilities to use segregated housing units for protective custody, if needed. The state needs to develop a fair process for placement, and such placement should not extend beyond a certain point without extenuating circumstances. Allowing incarcerated individuals to access this type of safe space enhances the security of the individual, while also mitigating any need to commit an assault or other offense to

be remanded to segregated housing under the current law (Correction Law, Section 136 (6)(k)).

3. **Personalized Treatment and Sanctions for Repeat Offenders:** Current law requires “therapeutic programming” for incarcerated individuals who committed certain dangerous violations (Correction Law, Section 137 (6) (k)(ii)). However, under current law, there are limited sanctions available for incarcerated individuals who repeatedly violate those provisions. In order to establish the need for personalized mental health treatment and to remediate behaviors through progressive discipline for incarcerated individuals, PEF supports supplemental discipline for incarcerated individuals who commit two or more dangerous violations against staff or other incarcerated individuals in a 12-month period.

4. **Expanded Treatment:** PEF supports expanded programming to address the mental health, behavioral, addiction and other issues experienced by the incarcerated population to reduce violence and provide for a more successful re-integration upon release. This will break down barriers between staff and the incarcerated population and provide a menu of more effective violence remediation strategies based on the individual’s condition(s).

Thank you for the opportunity to share our concerns with you. We look forward to working with you to ensure that all New Yorkers have access to effective and affordable public services.

Respectfully Submitted,

Wayne Spence
President, New York State Public Employees Federation